

5 January 1955

MEMORANDUM FOR: Mr. Houston

SUBJECT : Regulations Regarding Weapons on Airplanes

1. With reference to your request for information concerning CAA rules regarding weapons on airplanes, it appears that there are none. Nor does the CAB regulate on the subject.

2. At the suggestion of a CAA official, I have obtained a copy of General Rule 14 and a portion of General Rule 16 of the Air Traffic Conference of America, both of which were cited to me as bearing on the question. The Rules of course are not criminal law but merely the internal regulations of the industry. In any event, their application to the point is limited at best. General Rule 14 reserves to each participating carrier the right to refuse transport or to remove any passenger "whose status, age, or mental or physical condition is such, in the opinion of the carrier, as to . . . make such refusal or removal necessary to the reasonable safety or comfort of other passengers" or "to involve any unusual hazard or risk to himself or to other persons" or to property. It would seem that an arms-bearing individual could be denied transport under this Rule only if it could be considered that his "status" was sufficiently effected by the fact of his bearing arms, a contention which would appear quite questionable.

3. General Rule 16 requires each participating carrier to refuse to accept for transportation as baggage, assembled firearms or explosives unless advance arrangements have been made.

4. Local law concerning the bearing of firearms or concealed weapons presumably would be applicable to the carrying of firearms on aircraft, at least at the place of boarding the aircraft, in the absence of a provision to the contrary.

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Assistant General Counsel

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